

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, JANUARY 26, 1988

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:47 a.m. The meeting was recessed by Mayor O'Connor at 12:17 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:03 p.m. with no quorum present. A quorum was present at 2:04 p.m. with Council Member Henderson not present. Mayor O'Connor recessed the meeting at 2:05 p.m. to convene the Special Joint Council Meeting with the Redevelopment Agency. Mayor O'Connor reconvened the meeting at 2:17 p.m. with all members present. The meeting was recessed by Mayor O'Connor at 4:10 p.m. to convene the Redevelopment Agency Meeting. Mayor O'Connor reconvened the meeting at 4:12 p.m. with Deputy Mayor McColl not present. Mayor O'Connor adjourned the meeting at 4:28 p.m. into Closed Session on Tuesday, February 2, 1988 at 9:30 a.m. in the twelfth floor conference room to discuss pending litigation and potential litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-present
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour;Fishkin (jb;tm)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present

- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

Jan-26-1988

ITEM-310: WELCOMED

Welcoming a group of approximately 28 third graders from Doyle Elementary School, who will attend this meeting accompanied by their teacher, Alice Evans. This group will arrive at approximately 10:00 a.m.
(District-1.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A030-050.)

ITEM-311: CONTINUED TO MARCH 8, 1988 AT 10:00 A.M.

(Continued from the meeting of November 30, 1987, Item 33, at Council Member Struiksma's request, to allow sale of the property to go forward.)

Matter of the request of Friends of Chabad Lubavitch, by Rabbi Yonah Fradkin, for a hearing of an appeal from the decision of the Planning Commission in denying Planned Infill Residential Development Permit and Tentative Map PIRD and TM-87-0382 (Stadium Village), proposing a 33-lot subdivision and construction of 28-single-family detached dwelling units. The subject property (approximately 26.78-acres) is located west and east of Mission Village Drive between Friars Road and Ronda Avenue, in Zones R1-5000 and R1-40000 HR, in the Serra Mesa Community Plan area. The subject property is further described as a portion of Lot 41 of Rancho Mission of San Diego.
(PIRD & TM-87-0382. District-5.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM PIRD 87-0382; SUBD Stadium Village

COUNCIL ACTION: (Tape location: A051-075.)

MOTION BY STRUIKSMA TO CONTINUE TO MARCH 8, 1988, AT 10:00 A.M., AT HIS REQUEST. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-330:

Two actions relative to the Imperial Avenue (Eighth Avenue to Twenty-Fourth Street) Underground Utility District: (Barrio Logan/Harbor Community Area. District-8.)

Subitem-A: (R-88-1055) ADOPTED AS RESOLUTION R-270240
Establishing an Underground Utility District to be known and denominated as the Imperial Avenue (Eighth Avenue to Twenty-Fourth Street) Underground Utility District.

Subitem-B: (R-88-1056) ADOPTED AS RESOLUTION R-270241
Authorizing the expenditure of an amount not to exceed \$6,500 from CIP-37-028, Federal Revenue Sharing Fund 18014, for the purpose of administering the Imperial Avenue (Eighth Avenue to Twenty-Fourth Street) Underground Utility District, minor City Force work and other related work.

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on Imperial Avenue between 8th Avenue and 24th Street. This is a scheduled project in the calendar year 1989 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 52, of which 13 are single-family residential properties, and 39 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work may vary from \$700 to \$1,200. Conversion costs on commercial properties may vary from \$700 to several thousand dollars or more due to differences in service size and location. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 8800416.

FILE LOCATION: STRT K-181

COUNCIL ACTION: (Tape location: A197-205.)

Hearing began at 11:00 a.m. and halted at 11:01 a.m.

MOTION BY FILNER TO CLOSE THE HEARING AND ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331:

Two actions relative to the 54th Street (Streamview Drive to University Avenue) Underground Utility District:
(Mid-City Community Area. District-3.)

Subitem-A: (R-88-1071) ADOPTED AS RESOLUTION R-270242

Establishing an Underground Utility District to be known and denominated as the 54th Street (Streamview Drive to University Avenue) Underground Utility District.

Subitem-B: (R-88-1072) ADOPTED AS RESOLUTION R-270243

Authorizing the expenditure of an amount not to exceed \$3,500 from CIP-37-028, Federal Revenue Sharing Fund 18014, for the purpose of administering the 54th Street (Streamview Drive to University Avenue) Underground Utility District, minor City Force work and other related work.

CITY MANAGER SUPPORTING INFORMATION: The proposed district will underground the overhead utility facilities on 54th Street between Stramview Drive and University Avenue. This is a scheduled project in the calendar year 1989 Capital Improvements Program. The formation of this district will require the affected property owners to underground the portion of their utilities on their parcel prior to removal of the overhead utilities. The total number of affected properties in this district is 10, of which 8 are single-family residential properties, and 2 are commercial or multi-family properties. A typical cost range for a licensed contractor to perform this conversion work on residential private property is \$700 to \$1,200. Conversion costs on commercial properties may vary from \$700 to several thousand dollars or more due to differences in service size and location. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners based on the length of their electrical service trench. A future resolution will establish the date for removal of overhead utilities as the undergrounding work approaches completion.

Aud. Cert. 8800462.

FILE LOCATION: STRT K-182

COUNCIL ACTION: (Tape location: A206-210.)

Hearing began at 11:02 a.m. and halted at 11:03 a.m.

MOTION BY McCOLL TO CLOSE THE HEARING AND ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-yea,

Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: CONTINUED TO MARCH 22, 1988, AT 2:00 P.M.

Matters of the following accelerated variance requests from the Interim Development Ordinance (IDO):

- a) A variance request from the Interim Development Ordinance (IDO) to construct a 2-unit multi-family project. The subject property is located at 820 Diamond Street and is described as Assessor's Parcel No. 415-532-18. The R-1500 zoned site is within the Pacific Beach Community Plan.
Case-87-2081 (Accelerated). (District-6.)
- b) A variance request from the Interim Development Ordinance (IDO) to construct a 2-unit multi-family project. The subject property is located at 5919 Mildred Street and is described as Assessor's Parcel No. 436-421-03. The R-1000 zoned site is within the Linda Vista Community Plan.
Case-87-2291 (Accelerated). (District-6.)
- c) A variance request from the Interim Development Ordinance (IDO) to construct a 3-unit condominium project. The subject property is located at 3987 Lamont Street and is described as Assessor's Parcel No. 424-504-24. The R-1500 zoned site is within the Pacific Beach Community Plan.
Case-87-2031 (Accelerated). (District-6.)

Subitem-A: (R-88-)

Adoption of a Resolution granting or denying the variance request for Case-87-2081 with appropriate findings to support Council action.

Subitem-B: (R-88-)

Adoption of a Resolution granting or denying the variance request for Case-87-2291 with appropriate findings to support Council action.

Subitem-C: (R-88-)

Adoption of a Resolution granting or denying the variance request for Case-87-2031 with appropriate findings to support Council action.

FILE LOCATION:

Subitem A ZONE IDO Variance 87-2081;

Subitem

B ZONE IDO Variance 87-2291;

Subitem C ZONE

IDO Variance 87-2031

COUNCIL ACTION: (Tape location: A080-195.)

MOTION BY HENDERSON TO CONTINUE TO MARCH 22, 1988, AT 2:00 P.M., AT HIS REQUEST, AND DIRECT STAFF TO SEEK THE RECOMMENDATIONS OF THE PACIFIC BEACH AND LINDA VISTA PLANNING GROUPS ON THEIR RESPECTIVE IDO (INTERIM DEVELOPMENT ORDINANCE) ITEMS. APPROVE COUNCIL MEMBER FILNER'S REQUEST TO DIRECT THE PLANNING DEPARTMENT TO PROVIDE THE RECOMMENDATIONS OF THE COMMUNITY PLANNING GROUPS BEFORE DOCKETING IDO REQUESTS. REFER TO THE RULES COMMITTEE THE QUESTION WITH RESPECT TO RELEASING

COMMUNITY

GROUPS AND REQUEST THE CITY ATTORNEY TO RESEARCH THE QUESTION OF PREPARING A RELEASE FORM TO BE SIGNED BY THE APPLICANTS FOR IDO VARIANCES. Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-333: (O-88-85) INTRODUCED AS AMENDED, TO BE ADOPTED
FEBRUARY 8, 1988

(Continued from the meeting of November 30, 1987, Item S406, at Council Member Gotch's request, to allow Council Member Henderson to vote on the item.)

Introduction of an Ordinance amending Chapter V, Article 6, of the San Diego Municipal Code by amending Section 56.54, relating to Alcoholic Beverage Consumption and Possession Prohibited in Certain Areas, to expand the boundaries of the restricted area for alcoholic beverage possession and consumption by adding the "beach area" between the hours from 10:00 p.m. and 6:00 a.m. from Ratkay Point north to the southerly boundary of the City of Del Mar and including the Ocean Beach Fishing Pier, Fiesta Island, and public areas in Mission Bay Park.

(See City Manager Report CMR-87-510 and Committee Consultant Analysis PSS-87-13. Districts-1,2,and 6.)

COMMITTEE ACTION: Initiated by PSS on 10/21/87.

Recommendation to approve the City Manager's recommendation.

Districts 1,3 and 8 voted yea. Districts 2 and 7 not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A211-C040.)

Hearing began at 11:03 a.m. and halted at 12:11 p.m.

Testimony in favor by Bob Moore, Clyde Jenkins, Bill Crane, Karen McCabe, Mike Lloyd, Jeff Sykes, Michael Armstrong, Pamela Elster and Gary Elster.

Testimony in opposition by Robert Burns.

Motion by Henderson to introduce as amended by making the effective hours 12:00 midnight to 6:00 a.m. Second by Struiksmas. Failed: Yeas-4,5,6,8. Nays-1,2,3,7,M.

MOTION BY ROBERTS TO INTRODUCE AS AMENDED BY EXCLUDING OCEAN BEACH FROM THE 10:00 P.M. TO 6:00 A.M. CURFEW AND MAKE THE EFFECTIVE HOURS FOR OCEAN BEACH 12:00 MIDNIGHT TO 6:00 A.M.

Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmas-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-334: (O-88-117) CONTINUED TO FEBRUARY 2, 1988

Introduction and adoption of an Ordinance amending Ordinance O-16916 (New Series), as amended, entitled, "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-16916-1, as amended and adopted therein, by adding to the Personnel Authorization of of Special Promotional Programs (91675) in Transient Occupancy Tax Fund 10224 the following positions: one Council Representative II (Assistant to the Mayor for Arts/Cultural Affairs) position, one Management Assistant (Executive Director) position, and one Executive Secretary position; authorizing the Auditor and Comptroller to transfer the sum of \$85,000 within the General Fund 100 from the Unallocated Reserve (605) to the Transient Occupancy Tax Fund (10224), Special Promotional Programs (91675), for the purpose of funding the above positions, allocating \$52,000 to Personnel Services, \$13,000 to Fringe Benefits, and \$20,000 to Non-Personnel Expense.

NOTE: The first public hearing of this Ordinance was held on Monday, January 25, 1988, Item 204. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A076-079.)

MOTION BY McCARTY TO CONTINUE FOR ONE WEEK, AT THE CITY MANAGER'S REQUEST. Second by Henderson. Passed by the

following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-335: (O-88-114) INTRODUCED AND ADOPTED AS ORDINANCE
O-17019 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Documents No. 00-16916-1 and 00-16916-2, as amended and adopted therein, by transferring the sum of \$1,567,082 from the Unappropriated Fund Balance of the Sewerage Utility Revenue Fund (41506); amending Section 2, Subsection VI, Item 3, entitled "Sewerage Utility Revenue Fund (41506)" to increase Non-personnel expenses and total by \$1,567,082; directing the Auditor and Comptroller to set aside, transfer and allocate the \$1,567,082 to the Sewerage Utility Revenue Fund, Wastewater Systems Construction Program (70492), Project CIP-45-033.0, North Mission Valley Interceptor - Grantville to Murray Canyon.

(Mission Valley Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The City has scheduled the North Mission Valley Interceptor Sewer (NMVIS) for replacement in its Capital Improvement Program (CIP). The River Run Club, LTD, a California limited partnership, and Pueblos Del Rio North, LTD, a California limited partnership, not wanting to delay the development of their River Run Project, entered into a Development Agreement, titled River Run Development Agreement, Document No. 00-16809, with the City on February 9, 1987 to design and construct that portion of the NMVIS which runs through their River Run Project. The NMVIS is in need of expansion and its replacement will benefit the City as a whole. Pursuant to the terms of the executed agreement, the City will reimburse the River Run Club and Pueblos Del Rio North 100 percent of the actual construction costs, except that such reimbursement shall not exceed \$1,306,047. During construction of the interceptor sewer it was determined that, due to adverse soil conditions, unforeseen at the time of design, additional excavation, imported bedding and imported backfill materials are required. The estimated cost of the additional excavation and imported materials is \$261,035. The requested actions will appropriate the funding necessary for compliance with the previously executed agreement and will provide funding for the

additional costs associated with the interceptor sewer construction.

Aud. Cert. 8800548 Revised.

NOTE: The first public hearing of this Ordinance was held on Monday, January 26, 1988, Item 205. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: DEVL - River Run Development Agreement

COUNCIL ACTION: (Tape location: C056-063.)

MOTION BY STRUIKSMA TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-336: (O-88-100 Rev. 1) DENIED REZONING

(Continued from the meeting of November 24, 1987, Item 336, at Council Member Cleator's request, to allow Council Member Roberts to hear the matter.)

Introduction of an Ordinance incorporating the half block on the south side of Newell Street, between Locust and Evergreen Streets, into the R-1000 Zone.

(Peninsula Community Area. District-2.)

FILE LOCATION: ZONE - Ord. No.

COUNCIL ACTION: (Tape location: D169-E124.)

Hearing began at 2:17 p.m. and halted at 2:55 p.m.

Testimony in favor by John Reed.

Testimony in opposition by Tjanya Agiurre, Terrance Albert, Evelyn Penacho, Ann Jackson, Kay Martin and Ann Machado.

MOTION BY ROBERTS TO DENY THE REZONING. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-337:

(Continued from the meeting of November 24, 1987, Item 340, at the request of Council Member McCarty, for further review.)

Matter of a public hearing concerning the following provisions of the Southeast San Diego Planned District Ordinance (0-16921 N.S.) relating to projects for which a Southeast San Diego Development Permit is required. These changes were not available prior to July 13, 1987 for

public review and public testimony.

A. The draft ordinance was revised at the hearing in July to require discretionary review in the form of a Southeast San Diego Development Permit for all of the following projects:

1. Multi-family residential projects and mixed-use projects with four (4) or more dwelling units.
2. Projects that are located in or immediately adjacent to open space or sensitive habitat areas, including identified creeks and drainage areas.
3. All commercial projects.
4. All industrial projects.
5. Any move-on and manufactured housing structures.
6. Southeast Economic Development Corporation projects that require development review.
7. Any other project which requires a discretionary permit by City-wide standards.

B. An emergency ordinance was adopted on July 13, 1987 to minimize potential conflicts between existing zoning and the adopted Southeast San Diego Community Plan. This emergency ordinance provided that no permits for development inconsistent with the Southeast San Diego Planned District Ordinance would be issued unless application was made prior to April 30, 1987.

The Southeast San Diego Planned District area encompasses approximately 7,100 acres and is located south of State Highway 94, between I-5 on the west and the City of Lemon Grove on the east. The southern boundary is formed by the limits of the City of National City and the community of Skyline-Paradise Hills.

(District-4.)

The Council may direct the City Attorney's office to prepare further amendments the Council deems appropriate, or the Council may find that the ordinance does not require further amendment at this time.

FILE LOCATION: LAND - Southeast San Diego Planned District

COUNCIL ACTION: (Tape location: E124-F250.)

Hearing began at 2:55 p.m. and halted at 3:46 p.m.

Testimony in favor by Verna Quinn, Reynaldo Disano, Joshua Von Wolfolk, Jack Walsh and David Swarens.

Testimony in opposition by John Schindler, Anthony Hadley, Anthony Belford and Wesley Stark.

MOTION BY PRATT TO DIRECT THE CITY ATTORNEY AND THE PLANNING DEPARTMENT TO CHANGE THE SOUTHEAST SAN DIEGO PLANNED DISTRICT

ORDINANCE TO APPLY TO SINGLE FAMILY RESIDENCE AND FURTHER DIRECT
STAFF TO LOOK AT THE IMPACT OF THE DISCRETIONARY REVIEW
DEPOSITS. Second by Henderson. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-nay, Pratt-yea,
Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor
O'Connor-yea.

ITEM-338: CONTINUED TO MARCH 15, 1988 AT 2:00 P.M.
(Continued from the meeting of November 10, 1987, Item 335;
at Council Member Ballesteros' request, for Council
Members-elect to review the matter.)

Matters of:

- A) Approval of the Marina Planned District Ordinance, and
the Second Amendment to the Centre City San Diego
Community Plan which incorporates the Marina Urban
Design Plan and Development Guidelines and the revised
Streetscape Design Manual Technical Supplement as part
of the Centre City San Diego Community Plan.
- B) Certification of the final master Environmental Impact
Report for the Centre City Redevelopment projects as it
pertains to the above actions.

The Marina Planned District Ordinance establishes
regulations for the development of specific land uses by
right and others by Conditional Use Permit and designation
of Floor Area Ratios and Height of Buildings by Block.
The Second Amendment to the Centre City Plan is to bring
this Plan into conformance with respect to land use, FAR
and height specified by the Marina Planned District
Ordinance as follows:

- 1) The Marina Urban Design Plan establishes the
framework for Land Use, Open Space, Circulation,
Landscaping and Heritage Conservation;
- 2) The Development Guidelines deal with specific
design and building features;
- 3) The Streetscape Design Manual, Technical
Supplement adds specific language in regard to lights,
trees and sidewalk treatment for the Marina area which
was not identified in the original document.

(District-8.)

Subitem-A: (O-88-66)

Introduction of an Ordinance for the Marina Planned
District.

Subitem-B: (R-88-655)

Adoption of a Resolution amending the Centre City Community Plan.

NOTE: See Item 601 on the Special Joint Meeting docket of January 26, 1988 and the Redevelopment Agency Agenda of January 26, 1988 for companion items.

FILE LOCATION: LAND - Marina Planned District

COUNCIL ACTION: (Tape location: D016-169.)

MOTION BY FILNER TO CONTINUE TO MARCH 15, 1988 AT THE REQUEST OF MIKE STEPNER TO ALLOW HIM TO ATTEND WORKSHOPS GIVEN BY THE DEVELOPMENT AGENCIES, AFTER WHICH THE PROJECT MAY NEED EXTENSIVE REVISIONS. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-339:

Two actions relative to the street vacation of Pacific Highway and Harbor Drive:
(See City Manager Report CMR-88-39. Centre City Community Area. District-8.)

Subitem-A: (R-88-1345) ADOPTED AS RESOLUTION R-270246

Vacating Pacific Highway from Harbor Drive to Market Street and Harbor Drive from Pacific Highway to 1089.4 feet east of Kettner Boulevard under the procedure for the summary vacation of streets where the portion of street to be vacated is to be superseded by location; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; declaring that the City reserves and excepts from vacation and abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewal thereof; declaring that the easement reserved herein is in, under, over, upon, along and across those portions of Pacific Highway and Harbor Drive vacated; declaring that this resolution shall not become effective unless and until the realignment of Harbor Drive has been dedicated, improved and opened for public use; in the event that the realignment is not completed within three years after adoption, this resolution shall become void and of no further force or effect; directing the City Engineer to advise the City Clerk that the

forementioned street improvements have been completed,
accepted and opened to public use.

Subitem-B: (R-88-1346) ADOPTED AS RESOLUTION R-270247

Certifying that the information contained in the Master
Environmental Impact Report for the Centre City
Redevelopment Projects with Technical Appendix and Addendum
Sch. No. 86070909, has been completed in compliance with
the California Environmental Quality Act of 1970, as
amended, and State Guidelines thereto, and that said report
has been reviewed and considered by the Council.

FILE LOCATION: STRT J-2676

DEED F-4327 DEEDFY88-1

COUNCIL ACTION: (Tape location: F250-634.)

MOTION BY STRUIKSMA TO ADOPT. Second by Wolfsheimer. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not
present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-S500: (R-88-1493 REV. 1) ADOPTED AS RESOLUTION R-270244

(Referred from the Council meeting of January 12, 1988,
Item 340.)

The matter of a Council referral regarding Woodcrest
Development (Villamar) IDO Variance Case-87-2237.
(See the memorandum from the Planning Department dated
1/21/88. Clairemont Mesa Community Area. District-6.)

NOTE: On January 12, 1988, Council voted 8-1 (District 1
voted nay) to adopt the following motion regarding this
project:

Motion by Councilmember Henderson, second by Councilmember
McCarty, to grant the variance and to adopt the findings of
the City Attorney's report on hardship guidelines; the City
Attorney is also to add specific language relative to the
"life of the IDO"; staff is directed to report back to
Council in two weeks with options to assemble the needed 84
units City-wide, conditioned upon obtaining from the
developer a written, recorded abandonment of the PRD and an
agreement to a maximum of 1,170 units on the 56 acres
involved in the entire project; the Building Department is
authorized to start processing the IDO type units.

FILE LOCATION: ZONE IDO Variance 87-2237

COUNCIL ACTION: (Tape location: C041-055.)

MOTION BY HENDERSON TO APPROVE STAFF'S RECOMMENDATION. Second
by McCarty. Passed by the following vote: Wolfsheimer-nay,

Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S501: (R-88-) CONTINUED TO FEBRUARY 16, 1988 AT
2:00 P.M.

(Continued from the meetings of September 28, 1987, Item 113 and January 19, 1988, Item S406; last continued at the City Manager's request, to allow time to respond to Council Member Struiksma's questions.)

Approving the Public Facilities and Recreation Committee's recommendations on those City-owned sites numbered 455 - Area C, 20 - Area C, 20 - Area D; declaring that the City Council in no way intends to bind itself to utilize the property in accordance with the designation, and the Council specifically intends to be able to change the designation at any time or utilize the property for any purpose determined to be in the best interest of the City at the sole discretion of the Council; declaring that this designation serves simply and exclusively as a tentative guide to the City staff with regard to potential use of vacant City-owned land and that it is the Council's intent that this designation and past designations of this nature have no legal or binding effect whatsoever beyond serving as a tentative guide to such staff.

(See City Manager Report CMR-87-433.)

COMMITTEE ACTION: Reviewed by PFR on 9/9/87. Recommendation to approve the City Manager's recommendations on designations on Sites 455 - Area C, 20 - Area C, 20 - Area D. The Committee referred Site 23A back to the City Manager. Districts 2, 3, 7 and 8 voted yea. District 5 not present.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: F634-655.)

MOTION BY STRUIKSMA TO CONTINUE TO FEBRUARY 16, 1988 AT THE REQUEST OF THE CITY MANAGER TO ALLOW HIM TIME TO RESPOND TO MR. STRUIKSMA'S QUESTIONS. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S502: (R-88-1327) ADOPTED AS RESOLUTION R-270248

(Continued from the meetings of January 12, 1988, Item 342, and January 26, 1988, Item S408; last continued at the City Manager's request, to allow this item to be taken as a

companion item on the Redevelopment Agency Agenda at that time.)

Approving the agreement between the City of San Diego, the Redevelopment Agency and Pacific Bell, regarding conflict of telephone conduit with street improvements for Market Street.

(See the memorandum from CCDC Executive Vice President dated 12/14/87. Centre City Community Area. District-8.)

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: G055-308.)

MOTION BY FILNER TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-CS-1: (R-88-1453) ADOPTED AS RESOLUTION R-270245

A Resolution adopted by the City Council in Closed Session on January 26, 1988:

Authorizing the City Manager to pay the total sum of \$2,058,667.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, Superior Court Case No. 521436, Joanne Claire Peake, et al v. City of San Diego, et al resulting from the personal injuries to Joanne Peake, et al. Authorizing the City Auditor and Comptroller to issue one check in the amount of \$2,058,667.00 made payable to Joanne Peake and her attorney Vincent Bartolotta in full settlement of the lawsuit and of all claims.

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

PUBLIC COMMENT:

ITEM-PC-3: Rose Lynne regarding time limit set for public comment.

FILE LOCATION: AGENDA

ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor O'Connor at 4:28 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G300).